

## **COMMITTEE ON JOINT SCHOOL BUILDINGS**

**March 6, 2007**

**5:00 PM**

Chairman Beaudry called the meeting to order.

The Clerk called the roll.

Present: School Committee Members Beaudry and Gelinas ; Aldermen  
Thibault, Roy, Long

Absent: School Committee Member Herbert

Messrs.: T. Clougherty, A. Jefferson

Chairman Beaudry addressed Item 3 of the agenda:

3. Update on the School Facilities Improvement Project (Monthly Report – March 2007).

Mr. Tim Clougherty, Building Maintenance Director, stated I'll let Allan give you a little brief history on what has transpired over the past thirty days.

Mr. Allan Jefferson, DMJM, stated good evening. West High School has exterior duct replacement ongoing and also NVT work on the interior that is nearly complete. Memorial: sound attenuation ongoing; also interior NVT renovation nearly complete. Central High School: sound attenuation over there is nearly complete. Both Hillside and Southside: primarily sound attenuation work with the Hillside sound attenuation work being complete. Basically, the majority of the balance of the schools and also the high schools and middle schools, still have ongoing punchlist activities and punchlist reconciliation.

Chairman Beaudry asked Allan, could you speak a little bit closer to the mike because a lot of it I couldn't hear.

Mr. Jefferson stated I apologize. Just to end up, the balance of the schools still have ongoing punchlist work and punchlist reconciliation. Punchlist reconciliation primarily is DMJM and City staff going back to verify that the punchlist work has been completed.

Chairman Beaudry asked can you tell us, Allan or Tim, how many schools at this point are substantially complete?

Mr. Jefferson responded two.

Chairman Beaudry stated two, out of the 23?

Mr. Jefferson stated 21. Northwest and MST.

Alderman Thibault stated just one thing, Tim. When was the deadline that these schools were supposed to be all done? How long are we going to play with this?

Mr. Clougherty stated for the three high schools that date was August 28, 2005. And the balance of the other 18 schools was August 28, 2006.

Alderman Thibault asked so what are we saying here now, that they're late in completing some of this work?

Mr. Clougherty responded that's correct, Alderman.

Alderman Thibault asked wasn't there something in the first contract that came out about this that if they were late on certain things that we are charging them for being late? Wasn't there something there? It seems to me I remember that there was a stipulation that if they couldn't get this work done on time that there was some kind of a fine or something imposed. Are we doing that? Are we getting that?

Mr. Clougherty responded there is a provision of the contract that's known as liquidated damages, and that provision of the contract is currently being enforced by the City, and those damages are being assessed to Gilbane.

Alderman Roy stated thank you Tim for this five-page accounting. I'm very happy to see it. Flipping to the last page, which...or the fourth page, where we start off with contingency. It's nice looking through the first three pages and seeing a lot of one hundred percents since Gilbane has obviously given us 70% of what we were expecting in the beginning. But that being said, the change orders percent complete...Is that accurate? I mean, I know a lot of these things we've physically touched in a lot of locations. Starting about the Memorial Dust Collection Cyclone on the east side of the building, we start going with a lot of zeroes percent complete. That's on page four, about two inches from the bottom. Right before the...four up from the contingency change order numbers and amounts.

Mr. Clougherty stated I believe that the scope of work for those is complete. I'm not sure exactly why it's represented as it is on this sheet. It may have to do with how it's represented on the application for payment. I'll look into that and get back to you, if you don't mind, Alderman.

Alderman Roy stated I mean, some of these things we have physically touched and are there and have been used by the children for quite a while.

Mr. Clougherty stated that may just be an oversight on our part in putting the spreadsheet together. However, the amount that you want to be concerned with is the amount on the bottom line. The percent complete really just has to do with whether the funds were physically expended or not, and I think you recognize, and I know for a fact, that most of this work is much closer to one hundred percent than zero.

Alderman Roy stated my other question or follow-up, Mr. Chairman...So if I'm reading this correctly, Tim, that bottom line in the box, Total Pending Expenditures, comes out of the \$4,809,677 on page five.

Mr. Clougherty stated the total pending expenditures...That's not included in that \$4,809,677.

Alderman Roy stated correct. So we would take the \$4,809,677 and minus out the \$134,000?

Mr. Clougherty responded we'd actually add the \$134,000 to the \$4,809,677, so that the contingency spent would go up to \$4.943 million, roughly. Because that's showing an expenditure; the \$4.809 million is an expenditure. If we increase the expenditure by the \$134,000, the \$4.809 million would go up.

Alderman Roy asked and our contingency balance after that is done?

Mr. Clougherty responded right now it's at \$840,323. If you were to take out the \$134,000, that would leave you with \$705,240, plus or minus.

Alderman Roy stated okay, in looking at percentage of work that is still outstanding, if you had to put a number on that, what would you put on percentage of work?

Mr. Clougherty stated it's between three and five, Alderman.

Alderman Roy asked three and five percent? And does that include just punchlist work or is that work that is not even begun?

Mr. Clougherty responded there is punchlist work outstanding and there is also work that we consider to be in dispute, the scope of work that the City recognizes to be in the contract but Gilbane does not, and that is work that remains to be completed as well.

Alderman Roy stated okay, and how much is that scope of work dispute?

Mr. Clougherty asked from a dollars and cents perspective or from a percentage perspective?

Alderman Roy responded dollar and cents.

Mr. Clougherty stated our estimates, and again, it's hard for us to put an estimate on the work because it's so encompassing, but I think that we could safely say it's somewhere between six and eight million dollars in the aggregate.

Alderman Roy asked is it possible that...you know, I tend to want to see a lot of information, but I don't want you to spend the next thirty days putting it together. Is that combined into a spreadsheet that's either been given to our attorneys or presented to Gilbane, something easily given to this Committee?

Mr. Clougherty stated I believe we could put something together for your informational purposes.

Alderman Roy stated I would like to see that as we get closer to the close out or...I mean, close out was a year ago but we're still lingering on with this. Some of that work, if it's in dispute I'd like to see other means found for it to be accomplished. We promised the kids a \$105 million renovation, which was truly \$109 million renovation to our schools, and I don't want to shortchange anyone, so if we could look at that and get that in front of this Committee and start seeing if there are alternative ways that we can go about getting that funded and completed, while our lawsuit against Gilbane goes on.

Chairman Beaudry stated I missed that last part, Alderman Roy. What project are you looking at moving on?

Alderman Roy responded the six to eight million dollars worth of work that is still in dispute and not being started. That is something that was, according to our professionals, in the scope of work, so if it's something that we expected to be done out of this project, it should still be high on the priority list to get done as part of what's going on.

Mr. Clougherty stated just for clarification, Aldermen, if I may, the \$6million to \$8 million number that I threw out there as an estimate is an aggregate. It includes punchlist work, as well as outstanding scope and corrective work. So, we'll get you a spreadsheet for next month's meeting that breaks those down at least in some round numbers.

Alderman Roy stated especially if there are any safety issues on that, Tim, that would be very interesting.

Chairman Beaudry stated speaking of safety issues, the one safety issue that you brought to our attention a couple of months ago about the air exchangers...Is that being taken care of?

Mr. Sheppard asked the fire dampers? Is that what you're talking about? It's been reported to us that the problem's being addressed. We've got a lot of information that we're trying to make sense of. We have various sets of plans and various sketches representing what the work, the final work product, is supposed to be. And we're wading through that to try to understand exactly what's supposed to be installed in the field, and then comparing what's actually installed in the field with what's on the myriad of documents that we have. It's somewhat difficult getting some of this information, but we're doing our best in order to try to understand that that scope of work is being accomplished.

Chairman Beaudry stated I have a question, Tim, on the balance of the future contingency allocations. The number that we have right now, are you saying it's \$705,554?

Mr. Clougherty responded well, I'm telling you that number is the \$840,323 number.

Chairman Beaudry asked is that the total less all expenditures, all attorney fees that have been allocated, everything? Or is that a number that is gross of the attorney fees and stuff that it will be for the suit?

Mr. Clougherty responded that number includes all costs incurred to date. A couple of the other items that you might be interested in: it includes DMJM's latest program management amendment that was approved last month. It also includes the \$321,000 reserve or the OCIP monies, of which \$218,000 is in a reserve account.

Chairman Beaudry stated but it doesn't take into consideration future attorney fees for the lawsuit.

Mr. Clougherty stated it takes in all of our expenses to date.

Alderman Long stated the total pending expenditures...Is that \$134,768,058 already been authorized or is that what we're looking for.

Mr. Clougherty stated no, the \$63,843 has been authorized. That applies to two different line items. One of them is partial work to the boiler at Memorial, which was approved by this Committee. The other one was the Central war memorial, the \$25,339. Maybe Allan can help me out with that one.

Mr. Jefferson stated the \$25,339 is comprised of CCA's that have initially been submitted to the City that have been approved and we're pending receipt of the final cost for those items. And, it also comprises CCA's that are still in review, which may or may not be accepted.

Alderman Long stated okay, so part of this \$25,000 has not been approved. Some has; some hasn't.

Mr. Clougherty stated just take a conservative stance and say \$25,000 has been approved. I don't have a breakdown of that twenty-five grand in front of me, so you could say the \$63, 843 has been approved; \$25,339 has been approved, and the other ones are electives for the Committee.

Alderman Long stated and these numbers including the attorney fees, bills are as of today? So whatever invoice we're in receipt of has been paid.

Mr. Clougherty stated all invoices that we've received I'll just say have been accounted for in this spreadsheet. I don't know if they've physically been paid.

Alderman Long stated so the contingency balance is the \$840,323, minus the \$134,700 if that all gets approved...if these other thirty, forty thousand gets approved, correct?

Mr. Clougherty stated if that all gets approved, yes. That would be the \$705,554 number.

Alderman Long asked and what's accounted for here...I don't know if I heard you right. What's accounted for here is not DMJM's total amendment to their contract but what is paid to date.

Mr. Clougherty stated no, DMJM's total amendment is accounted for.

Alderman Long stated okay, so their total amendment is accounted for, as is the two seventeen, or whatever it was...two thirty-one, or whatever it was.'

Mr. Clougherty stated if you flip back one page to page four, Alderman, and look about two inches up from the bottom, you'll see DMJM's contract amendments 3 and 4 included there, and the percent complete is only 35%. You'll also see that the OCIP reserve account is increased by that \$321,000. That was approved last month. \$103,000 was expended to account for the losses that I had reported, and the 32% is the percent complete. \$218,000 is the reserve account that I had relayed to you. Alderman, if I may, at last month's meeting it was requested that I research how we got to the \$321,000. I did that. I haven't had an opportunity to write a letter to explain it because it requires a lot of explaining the different pieces, parts of the \$321,000 that I requested last month. Suffice it to say, \$97,000, plus or minus, was for an overrun to that OCIP account. And the \$218,000 is what I asked for because of a recommended reserve. I have the documentation from Liberty Mutual that spells those things out for my billings from the, I believe, December/January period, as well as a recommendation for those reserves. I'm happy to forward them to you. I was asked, do I have the documentation. I do have this documentation? Happy to forward it, however you want it. It's convoluted to me. I'm happy to pass it along.

Alderman Long stated maybe we could sit together and un-convolute it.

Mr. Clougherty stated that would be great.

Alderman Long stated, the \$217,000...from what I understand, the OCIP is...is there a date when that ceased to exist?

Mr. Clougherty responded there is a date when it ceased to exist. I believe that to be September 16, 2006, and the OCIP reserve account is there for anticipated expenses associated with outstanding claims that occurred prior to September 16, 2006.

Alderman Long stated and our explanation from Liberty Mutual...is there a quasi rectifying that \$217,000?

Mr. Clougherty responded no, nothing that I could explain.

Alderman Long stated so in all essence, \$217,000 may be there at the end of the year.

Mr. Clougherty stated it may be. I don't think it's going to be because there are some outstanding claims that we have yet to pay out. They're telling us to put aside \$218,000. We'll put aside \$218,000 in a conservative fashion, as they would recommend, and I would count it as being all spent until we get all of our claims settled.

Alderman Long asked and the only claims that are going to be are the claims that are current claims?

Mr. Clougherty responded current claims, yes, and the costs associated with those.

Chairman Beaudry stated Tim, going back to the last page, Contingency Authorized To Date, and then they have the Pending Contingency Expenditures. What is pending? Number 27 includes Central High School War Memorial. The one memorial has been complete. What is that charge for?

Mr. Clougherty responded that's correct. There are some outstanding costs. We haven't got final costs from Gilbane. We haven't agreed on the final cost with Gilbane on that change order #27, either with the War Memorial...The other thing has to do with the replacement of the boilers at Memorial High School. Therefore those change orders have not been executed so we haven't moved them above the line as being finalized.

Chairman Beaudry asked can you explain what this next one down is, the CCA's Not in Change Order?



Mr. Clougherty responded those are construction change authorizations that were either approved by this Committee or through my office during the course of construction that we have not seen finalized in a change order format from Gilbane as of yet. But we understand them to be out there. We have copies of them. We know they're outstanding, yet we're waiting for the formal paperwork to come through.

Chairman Beaudry asked has the work been done?

Mr. Clougherty responded for the most part it has been done. Again, I don't have a list of exactly what every one of these are, but I'll certainly provide that to you.

Chairman Beaudry stated I thought under the contract there's a certain timeframe for change orders to be submitted.

Mr. Clougherty stated the thing is, these are construction change authorizations that we have given them authorization to proceed with. I think that you're talking about the timeliness in notification of requisite change orders, outside of the scope and things like that. I think that's a different subject.

Chairman Beaudry asked just so I can get the numbers clear in my mind, if we approve this evening the pending change orders that you have listed here, we'll be at that \$605,554,042?

Mr. Clougherty responded that's correct.

Chairman Beaudry asked and that's not including additional attorney fees for the lawsuit?

Mr. Clougherty responded that's correct.

Chairman Beaudry stated what we have right now on the fourth page, thirteen lines up, Wiggins and Nourie, that is the total expenditure to date?

Mr. Clougherty stated that's correct.

Alderman Roy stated you just mentioned that Wiggins and Nourie cost. Tim, all of the legal work regarding the break in, is that separate from this or is this shown somewhere on this spreadsheet?

Mr. Clougherty stated I'd like Tom Arnold to answer that question.

Mr. Arnold stated I quite frankly do not know, Alderman. I have not been through the individual invoices to identify those topics which are related to the alleged break in. I could certainly do that for you if you'd like.

Alderman Roy stated okay, if we could make sure because I believe the Chairman would concur we're looking for that to be separate rather than part of contingency.

Chairman Beaudry stated the feeling is...and I don't want to speak for the entire Board, but that should be broken out separately and should not be part of the contingency money. So if that could be done for our next meeting it would be appreciated.

On motion of Alderman Roy, duly seconded by Committee Member Gelinas, it was voted to accept the report and forward it to the Board of Mayor and Aldermen for informational purposes.

Chairman Beaudry addressed Item 4 of the agenda:

4. Solicitor's opinion relative to additional work from the School Facilities Improvement Project contingency account.

Mr. Arnold stated I have prepared a letter. I got an opportunity to give it to the three Board members because I met them at an earlier meeting. I'll have the Clerk give you a copy. I think, to summarize, if you would like me to do that, I believe that you could use contingency for all the expenditures with the exception of the door and the masonry wall at Southside Junior High. I go on to note, as you can see at the end of this letter, that I have only attempted to analyze whether you can use contingency funds. I'm not giving any opinion as to whether it is wise or advisable to use those funds for any of these projects, given the ongoing costs with the project as a whole and the litigation costs that the City is incurring because of Gilbane's lawsuit.

Chairman Beaudry stated all right, I believe the Committee has already voted on this, contingent upon the approval of the City Solicitor, and if I read this letter stating that it falls under the jurisdiction of the contingency, then the project should move forward under the vote we took, it's probably been two months now.

Mr. Arnold stated I believe that you may be correct with regard to the four items that I list as A, B, C & D in my letter. I don't believe that was true of the fifth item you asked me to address at your last meeting, which was the structural repairs to the Hallsville roof. That is quite a sizeable item.

Chairman Beaudry stated that's correct. It would be just the four items brought before you a couple of months ago. So I don't believe we would need a further motion. I think it would move forward.

Alderman Roy stated thank you, and I may have just misunderstood Tom as I was reading this. So, Tom, you're saying A, B, C, & D, which includes the door, the masonry work at Southside are approval?

Mr. Arnold responded no, I am saying that A, B, & D are approvable.

Alderman Roy repeated so A, B & D are approvable. And you're further stating that the work at Hallsville would be outside...

Mr. Arnold stated no, the structural repairs to the roof at Hallsville, I think, could fall within the project, and you could use contingency. Again though, I stress, that might not be wise or appropriate, given the ongoing demands on that contingency fund.

Alderman Roy stated so if it would please the Chair, I would like to just reaffirm the vote that we approve A, B, & D, and unfortunately send item C back to Building & Sites on the School side.

Chairman Beaudry stated I'll accept the reaffirmation of the vote, but I have a question for the Solicitor. Why would C be eliminated when that was...I mean, they redid that whole gymnasium? The gym was part of the design/build project.

Mr. Arnold responded because my understanding was that, as I set forth in my letter, the time the pertinent concrete masonry wall or unit was put up that an affirmative decision was made not to include a door in it. After that wall was erected there is now a desire to put a door in it, and I didn't think, in light of the affirmative decision made to not put a door in that wall, it was appropriate to include it within the project at this point. I thought that that determination had already been made at the time the decision was made not to put in a door.

Chairman Beaudry asked can you enlighten me, who made the decision not to put in the door? Was it the past principal?

Mr. Clougherty responded the gymnasium previously contained a door. Lets called it Day One, prior to this design/build project. There was a door there. During the course of the project...

Chairman Beaudry asked it was an overhead door, correct? Like a garage-type door?

Mr. Clougherty responded right. It was requested that the door be taken out by the principal, confirmed with school administration that we take out the door, take out the opening, take out everything, lock it in. We did that. Now there's different personnel at the school. They would like a door reinstalled there. And I think that's part of Tom's consternation with approving installation of a door, seeing as the program had already paid once to have the doorway in-filled.

Chairman Beaudry stated but that's what contingency money is used for is for change orders. I just want to get it clear that your decision really isn't based that it's not within the jurisdiction of the project. It's basically based on that there was a decision made prior to the project to block the wall in. Now the new administration wants to have a door put in there, and you felt that you shouldn't have to pay for that opening twice, is basically...

Mr. Arnold stated what I am saying, Mr. Beaudry, is that there was an affirmative decision to block the door. That was done as part of the project. To now say that it's part of the project to install the door is contradictory and does not fall within the project.

Chairman Beaudry stated I would tend to disagree that it doesn't fall within the project. I understand what you're trying to say that somebody made a decision to block it in, and now they want to put a door there where it's going to cost us additional dollars. But if that was a...let's hypothetically say that was a safety issue and a door had to be put there, whether they decided to block it in prior to that or whatever. If somebody said that was a safety issue and we need a door for a means of egress in that wall, I would assume we'd put a door there. I mean, I'm not going to argue the point. I understand that there were decisions made through the project and we'll stick with the decisions, but I still think that if this Committee chose...and I'm not asking them to do it...but to have a door there, it still would fall under the project as a change order. And that's my argument on it that I will go with what the Committee wants, and I understand different principals have different ideas and concerns in their school. I just question at some point when this project was being moved forward that school was in a transition period of principals, I believe. Either the principal that made the decision was leaving or the principal that is there now must have just got there. I don't know who made the decisions, when they made the decisions, because there was a transition period in that school where we were going from one principal to another.

Alderman Thibault stated Mr. Chairman, the only thing I'm concerned about is, at the time that this door was requested to be reopened, was the project over there completely done?

Chairman Beaudry stated it's not substantially complete from what they said this evening. Only two schools are, and that school is not one of them.

Alderman Thibault stated I mean, that's a problem because...and I'm not against getting the door. Don't get me wrong. It's just the principal of the thing. We can use this contingency money until Black Sunday comes. The point is, where do we cut it off and what was intended in the reconstruction of those schools? If this was not intended, well then there's a problem. And now it's a new action. It's not part of that school reconstruction. If it's a new problem, then maybe we should address it as a new problem.

Chairman Beaudry stated well it could have been part of the reconstruction if the decision was made on the onset, and that's what I believe the City Solicitor is saying, is when the project moved forward they wanted the wall completely...whoever made the decision, to block it completely in. Now this principal that's there now would like to have a means of egress between the main gymnasium and what they call their mini-gym. So that's the problem. But I am willing to accept a motion to reaffirm, if that's what the Committee so chooses, to go with A, B, & D.

Alderman Thibault stated and I certainly think that it's something that we could look at. I'm just saying that where does that cut off come, I mean, is what I think is the important thing.

Alderman Long stated the painting and drywall project at Wilson Street School, I added these figures as \$6,000. On your last page of your report you've got \$20,800.

Mr. Clougherty stated I don't understand the question, Alderman.

Alderman Long stated we're looking to make a motion on D for \$6,000. This is for the painting and drywall project at Wilson Street School, and in your contingency authorized to date, you have Wilson painting and drywall project \$20,800. So that's \$14,800. Paintbrushes, maybe?

Mr. Clougherty stated I have to agree with you Alderman because I have the cost that was given to us a couple of months ago, and the painting of Wilson Street School was \$9,700 for the install five-eighths, fire code drywall and to paint it. And then there was another \$2,700 to patch and paint the walls on the second floor. So, it's way shy of \$20,000.

Alderman Long asked what was your final figure?

Chairman Beaudry responded for the two projects it was \$9,700 to install the five-eighths, fire code walls in the classrooms, and then to paint the second floor new addition was \$2,700. No, I'm sorry, I stand corrected. There are two walls; there's one for \$8,400 also. So it's \$8,400, \$9,700, and \$2,700.

Alderman Long stated that's \$20,800.

Mr. Clougherty stated that's \$20,800.

Chairman Beaudry stated yes, that's what he has. Let's see, the Southside relocation of hallway lockers. You have that. That's right. So really the only one we would be taking out under this motion would be the Southside demolition wall for \$4,900, if that's what the Committee chooses. If somebody wants to entertain a motion, or if you want to move with it at all, it's up to the Committee, but right now there is a motion that was made to...if the City Solicitor went along with it, that everything was going to be passed. So what the City Solicitor is saying now is that C would not be under the jurisdiction of the project.

On motion of Alderman Roy, duly seconded my Alderman Thibault, it was voted to reaffirm A, B, & D, remove C, and move those forward.

Chairman Beaudry stated I do want to note though that at the end of this project, if there is any money left, I would like to have that door opened up at Southside. It's unfortunate that the principals changed over there, whoever made that decision. But it happened and I'll live with it for now.

Alderman Roy stated somewhat on that same vein, but more financial, Tim, could you request either...I don't know if you have this or if it would come from Finance, who's not here tonight, an update as to all interest earned on all accounts. In your spreadsheet I believe you carry \$3,995,000. If we could just get a spreadsheet showing that. And I'll tie to that, if you're making a request to Finance, any other income or costs or reimbursements, expenditures that may not appear on this spreadsheet, just to make the request as broad as possible. If there's any other dollar out there, I'd like to know about it.

Mr. Clougherty stated I will do everything I can to get that information to you.

Alderman Roy stated and I don't expect you to compile that. That may be a Finance Department...that you can pass that along. I don't want to tie you up again, more, doing again, you know.

Mr. Clougherty stated I believe that someone made that request. That request came from this Committee last month, and I was of the understanding that they were working on that, but I will follow up with them and see if we can't get you that information.

Alderman Roy stated I, for one, would appreciate it. Thank you.

Alderman Long asked Tim, on the retainage, has there been any of that fund released?

Mr. Clougherty responded no, as a matter of fact, we haven't received the applications for payment from Gilbane for several months. Therefore, there have been no payments made.

Alderman Long stated very good. And that's three million? How much was in there?

Alderman Roy stated eight million.

Mr. Clougherty stated it's between three and four million; it's not eight.

Alderman Roy asked and that is earning interest?

Mr. Clougherty responded yes, it is.

Chairman Beaudry asked does anybody have any other business to come before us? I have one thing I want to keep on the burner, if we can. It was mentioned this evening, the Hallsville School roof. I don't know if I misunderstood the City Solicitor but he stated that it was under the jurisdiction of the contingency fund. I know there's insufficient funds in there to repair the whole roof, and I just... We're going to have a problem with finding the money. Right now we have \$20,000 that was leftover from the Ash Street School roof repair, which we can start this project with. I know Tim came before the Building and Sites Committee on the School side asking for roughly \$100,000. If we can move this project forward, I'm not sure if people on this Committee want to move the \$80,000 out of contingency, knowing that roughly looking at what we have left, less attorney fees and that is probably about \$367,000, is what we'll have left. Any ideas? Tim, if you can speak on that, what your... We did talk about it today, and if you can just let the rest of the Committee know what the costs are to get that roof done, or at least started, this summer.

Mr. Clougherty stated we consider it a high priority, as we've expressed at several meetings, and I know that the Board of School Committee has taken votes to prioritize the project. From an operational perspective, the project's going to cost roughly \$610,000 to \$615,000. We have \$20,000 allocated for the project currently. It's been reported to me that, from our prospective contractor, that \$100,000 would allow him to purchase material and get engineering done so that he could secure the material before seeing any cost escalation. The \$20,000 that we can currently commit is probably going to buy us some engineering and shop drawings, perhaps a place holder in line for some of the large timber and steel that we need for the project, and we'll work with our structural engineer in order to identify the most critical areas of the structure that should be addressed first. At this point in time, we are too late to fully complete the project prior to the next school year, starting September '07, but the contractor is still relatively confident that we could get some of the critical work done prior to school starting in September. We have identified it, both to the School District, to the CIP Committee as a priority, and any availability of funding would be obviously beneficial to the project so that we can get it going as soon as possible.

Chairman Beaudry asked Tim, is the \$100,000 still something that you're seeking to move forward with this?

Mr. Clougherty responded obviously the \$615,000 would be preferable, whatever is on the CIP request. The \$100,000 was a number that was floated to me, probably about six weeks ago, that if we had the \$100,000 at that time, we might be able to get the majority of the work done this summer. I think that time has come and gone. We still need to make a commitment to the contractor sooner rather than later. Even if this goes through the CIP process, I'd highly recommend that this be pushed for early start up, if it's a bonded project, or get a vote from the Committee that we can enter into a contract with the individual in anticipation of the funding if it turns out to be a cash project in FY '07, either through the School District budget or through our CIP funding.

Chairman Beaudry stated now you stated that the project, even if we were able to fund it at this point, would not be complete by September for the new school year. Would the building still be considered dangerous as they're stating now? Would it still be structurally unsound?

Mr. Clougherty responded I think it would be in the same condition as reported by our structural engineer to your Building and Sites Committee last week. It's an area of concern, and he feels it should be considered a high priority by the School District and the City.



Chairman Beaudry stated but my concern is if they can't complete the project, even if we get the money, next September - next winter I should say - would we still have to shovel off the roof and maintain the weight on the roof as we have the last couple of years?

Mr. Clougherty responded without understanding what kind of money we have and what he would consider to be the critical areas or the structure, it's hard for me to say, but I'd say, yes, it would still be an area of concern if we aren't complete with the project.

Chairman Beaudry stated I just wanted to have the Aldermen aware of that situation. We did move that as a top priority on the School District side to get that roof repaired because the engineer and Tim came before our committee last month and stated that it is considered a hazard, and it should be done sooner than later.

Alderman Long asked is it correct to say the concern is the load, the weight, on the roof, or is there a concern without a load on the roof?

Mr. Clougherty responded I'd prefer to have our structural engineer comment on any concerns relative to the structure.

Alderman Long asked was there anything said in your committee with respect to...

Chairman Beaudry stated what they told us is that the roof would have to be maintained for weight, that it would have to be shoveled off, which my understanding, the Highway Department does not have sufficient manpower or the expertise to have people up on that roof shoveling it off, so they would have to hire somebody with special equipment or ladders to get the snow off that roof.

Mr. Clougherty stated the concern in the winter is the live load. I didn't want to get into the specifics of what the problems are, but it's the live load of the snow on the roof that is the biggest concern at this point in time.

Alderman Thibault stated again, I have to say, why is it that we're going to contingency again? When does the School Board accept the responsibility of maintaining their buildings? Or is this something that in five or six years from now we're going to have to bond another \$100,000,000 to redo these schools again? I'm concerned about that.

Chairman Beaudry stated I can answer that by saying, we didn't...we at the School District or anybody knew about this roof until we got into the design/build project when they did the renovations of Hallsville, when they were going to put the HVC system up in the attic and they found out that it couldn't bear the weight. That's how this problem was found.

Alderman Thibault stated let me say I understand that, but when does the School Department take the responsibility for maintaining their buildings? When does that happen? After this, or before that, or when? This is the problem. I have a problem with this. Because we have this contingency now, we feel that we have a pool that we can go to and get whatever we need. And I understand the request and I understand the urgency. I'm just saying, before we did this \$100,000,000 renovation to all our schools, the School Department used to take care of their maintenance, to some extent. How come they're not now?

Chairman Beaudry stated well I think they...I don't want to speak for Tim, but I think we do still maintain...We used to have SCIP money...

Alderman Thibault stated this should come into a maintenance thing as far as I'm concerned and not part of a contingency fund. I think that this is part of maintaining a school building or whatever building it is that the School Department owns. It's a maintenance problem. It's not something that...What if we didn't have this contingency?

Chairman Beaudry stated well actually this problem has been on for 99 years. We just found out about it through the design/build. So even our maintenance projects didn't diagnose that the roof was unsafe.

Alderman Thibault stated well I have a problem with that because I believe that...and I'm not putting a finger on you or Mr. Gelinas. I'm saying that the School Department evidently is not taking care of maintaining its buildings. Except when the City does what it did with this \$100,000,000, and I think that's wrong. I think we, maybe the Aldermen should come up with a system that we don't always have to depend that there's a contingency there to take care of a problem. It should be done long before that. An engineer should have told the City this five, six, seven, eight years ago, maybe, that someday there's going to be a problem with that roof.

Chairman Beaudry stated Tim, will you answer that because you've been, you know, part of the Facilities Maintenance for quite some time. I think you know about the SCIP money and what was that put towards. I think we've maintained

the buildings to the level that we were funded through the Board of Mayor and Aldermen.

Mr. Clougherty stated I agree.

Alderman Thibault stated I just think that there's a problem there, okay, whatever.

Alderman Roy stated the sentiments expressed by Alderman Thibault of, if this pool of money wasn't there, what would we have available to us? On that vein, I'll make the offer to you as Chair of the Building and Sites Committee, if a letter from this Board to the Mayor's office, a letter to your board, to include this in your Fiscal Year '08 budget that will come back in front of this Board. You know, I do have a great concern with this. This is a safety issue. You know, it has been this way for 99 years, so I have concerns. So if it takes a motion from this Board or a letter from this Committee to request that the School Board...I know it's your highest priority. Tim has said it's of the highest priority. That could be expressed to the Mayor in formulating the budget. It seems that the predicament that our contingency is in, that the quickest way to get this rectified and the most prudent for the taxpayer would be that it be either bonded or paid from cash out of Fiscal Year '08.

Chairman Beaudry stated I agree. I believe it's going to have to end up being a cash project because my understanding from our last board meeting, the bonding for the School District is over. If we were to get CIP money, it would be for 2009. So, it would have to be cash money, and I would accept a motion because I would like to have at least something go to the Board of Mayor and Aldermen, stressing the fact that we do need some money for this project. That's still not to say that if we have some leftover money in our budget this year that the School Board would not move that money toward this project also. But we're not sure what we're going to have for a surplus at the end of this year.

Alderman Roy stated I would just recommend that prior to the budget being formulated or given to us by the Mayor, that it be forwarded to the Mayor as he's putting together his budget. And it would be much easier to keep it in the Mayor's budget than to add it to the Mayor's budget at a later date. So the best bet is for it to be in the school budget approved by the Mayor to begin with, and have him identify it as a highest priority as well, as I believe this Committee and Building Maintenance and our consultants have, as well as Building and Sites on the School District side. So I'd make the motion that we send a letter to the Mayor requesting that the cost of this project, and possibly attach the engineers reports, be forwarded to him at the earliest possible dates.

Alderman Thibault stated before you do that, can I just say one more thing? I don't care if it goes to the CIP for next year, and if it's such a priority, maybe it should be prioritized there.

Chairman Beaudry stated but again, with the CIP, from my understanding, for the School side, we're not getting any more CIP money for 2008. We're into 2009 now.

Alderman Roy stated right, but that is the Mayor's decision. That is not a Board of Mayor and Aldermen decision. That's a Mayor's decision.

Chairman Beaudry accepted the motion made by Alderman Roy. It was duly seconded by School Committee Member Gelinias. There being none opposed, the motion carried.

Chairman Beaudry stated thank you. I really thought this discussion is worthy, to get it up and get it in the forefront so people will understand that we do have a building out there that is considered to be somewhat unsafe for our children and it should be repaired.

There being no further business, on motion of Alderman Thibault, duly seconded by School Committee Member Gelinias, it was voted to adjourn.

A True Copy. Attest.

Clerk of Committee